

**DRAFT**  
**PLANNING AND ZONING BOARD MEETING**  
**WEDNESDAY, JANUARY 25, 2012**  
**CITY COMMISSION CHAMBERS,**  
**HALLANDALE BEACH, FLORIDA**

**Members Present**

**Attendance**

Arnold Cooper (Chair)	Y
Eudyce Steinberg (Vice-Chair)	Y
Michael Butler	N (excused absence)
Terri Dillard	N (excused absence)
Seymour Fendell	Y
Sheryl Natelson	N (excused absence)
Sherea Atkins	Y
Irwin Schneider (Alternate)	N (excused absence)

**Staff in Attendance:**

Thomas J. Vageline  
Christy Dominguez  
Sarah Suarez  
Cindy Bardales  
Denisse Fernandez

Mr. Cooper called the meeting to order at 1:32 PM.

**Approval of Minutes**

Mr. Cooper: asked for a motion to approve the Planning and Zoning Board meeting minutes for November 30, 2011.

MOTION: MR. FENDELL MOVED TO APPROVE THE MINUTES OF  
THE NOVEMBER 30, 2011 PLANNING AND ZONING BOARD  
HEARING.

MS. STEINBERG SECONDED THE MOTION.

MOTION CARRIED BY ROLL CALL VOTE (4-0) FOR APPROVAL.

48  
49 **NEW BUSINESS**  
50

- 51 1. Application # 09-12-V by Ahmadiyya Movement in Islam Inc., requesting a variance  
52 from Section 32-153(d)(4)a. of the City's Code of Ordinances in order to construct a  
53 vehicle canopy in the front yard setback at the property located at 208 NW 7th Court.  
54

55 Mr. Cooper opened the public hearing.  
56

57 Hady Raja: (1701 SW 64 Court operator of the facility) stated this property is a place of  
58 worship they had applied for variance because they need a canopy for protection from  
59 the rain when people are entering the building. He added that the canopy will give a  
60 better appearance to the building.  
61

62 Alama Macishim (723 NW 3rd Avenue) stated she received the letter in the mail and  
63 had questions on where the canopy will be located since she lives behind the property.  
64

65 Mr. Raja: clarified they are replacing the existing canopy which is located on 7<sup>th</sup> Court in  
66 front of the building.  
67

68 Ms. Macishim: stated she has no issue with the canopy if placed in front of the building.  
69

70 Mr. Cooper: stated the application is to request for an even larger canopy.  
71

72 Mr. Cooper closed the public hearing.  
73

74 Mr. Fendell: stated they have received a list of code violations on the property which  
75 includes the fencing, banner signs, landscaping, etc.  
76

77 Mr. Raja: clarified that many code violations have been corrected.  
78

79 Mr. Cooper: asked if the property had any code violations outstanding?  
80

81 Ms. Dominguez: stated they were still outstanding violations since applicant did not  
82 called for a final inspection.  
83

84 Mr. Fendell: suggested the applicant return before the Board after all the code violations  
85 have been resolved.  
86

87 *Discussion ensued among Board members.*  
88

89 Ms. Steinberg: stated the applicant should have the property cleaned up, so she can  
90 have a better idea of how the canopy will beautify the property.  
91

Ms. Dominguez: suggested the Board vote on the item. Staff had included a list of conditions that must be met before being issuing any permit. A follow up courtesy inspection will be conducted to insure that all code violations have been fixed.

Ms. Atkins: interjected and advised the Board she also went by the property and found a lot of debris.

MOTION: MS. STEINBERG MOVED TO DEFER THIS ITEM APPLICATION # 09-12-V BY AHMADIYYA MOVEMENT IN ISLAM, REQUESTING A VARIANCE FROM SECTION 32-153(D)(4)a. OF THE CITY'S CODE OF ORDINANCES IN ORDER TO CONSTRUCT A VEHICLE CANOPY IN THE FRONT YARD SETBACK AT THE PROPERTY LOCATED AT 208 NW 7 COURT TO THE FEBRUARY 22, 2012 MEETING.

MS. ATKINS SECONDED THE MOTION.

MOTION CARRIED BY ROLL CALL VOTE (4-0) FOR APPROVAL.

2. Application #13-12-V by George and Stacey Kimmel requesting a variance from Section 32-925(7), Section 32-925(9) and Section 32-926(6) in order to maintain a four-plex building at the property located at 206 SE 9<sup>th</sup> Court.

The variances requested are as follows:

- a) Section 32-925(7) of the City's Code of Ordinances regarding the abandonment of a nonconforming use for a period of at least 180 consecutive days;
- b) Section 32-925(9) of the City's Code of Ordinances regarding the discontinuance of a nonconforming use for a period of at least 180 consecutive days;
- c) Section 32-926(6) of the City's Code of Ordinances regarding the abandonment of a nonconforming structure for a period of 180 consecutive days.

Mr. Cooper opened the public hearing.

Graham Penn (220 S. Biscayne Blvd., Miami, FL) advised he is the attorney representing the applicant, Mr. & Ms. Kimmel.

Mr. Penn: asked to turn in additional letters from the immediate neighbors in support of this application.

Mr. Cooper agreed and the letters would be placed as evidence.

Mr. Penn: pointed out this property is a 40 year old building which was originally built in 1972.

Mr. Penn: added the applicants bought the property on 2010 and were not aware the City considered it abandoned. The applicant is requesting approval of the variance to insure they can make use of the building they have brought back to life.

Mr. Penn: clarified the abandonment took place prior to his client purchase of the property, therefore, they are not at fault. They have agreed to staff's conditions and he added approval of this application will be an improvement to the neighborhood.

Mr. Cooper: asked if the applicant bought the building in abandoned conditions?

Mr. Penn. stated the property was foreclosed on but the applicant did know the condition of the building. He added when applicant purchased the City advised him there was no code violation.

Mr. Cooper: stated code violations were issued by a judge on this property were the fines paid?

Ms. Dominguez: stated yes all fines have been mitigated.

Mr. Fendell: asked the applicant if they were aware of all the issues they would face when purchasing this property. He added that based on the pictures provided to the Board there has been a great improvement.

Mr. Cooper closed the public hearing.

MOTION: MS. STEINBERG MOVED TO APPROVE APPLICATION #13-12-V BY GEORGE AND STACEY KIMMEL REQUESTING A VARIANCE FROM SECTION 32-925(7), SECTION 32-925(9) AND SECTION 32-926(6) IN ORDER TO MAINTAIN A FOUR-PLEX BUILDING AT THE PROPERTY LOCATED AT 206 SE 9<sup>TH</sup> COURT.

MS. ATKINS SECONDED THE MOTION.

MOTION CARRIED BY ROLL CALL VOTE (4-0) FOR APPROVAL.

3. Applications #48-11-CU and #49-11-Z by PRH-2600 Hallandale Beach, LLC for a Conditional Use Permit and assignment of the Planned Development Overlay (PDD) District in order to build Beachwalk, a mixed use, 31-story 305 feet in height building, with 84 residential units, 216 suites with 432 hotel keys, a 1,225 square feet restaurant and associated parking garage on the property located at 2600 E. Hallandale Beach Boulevard.

The applications are as follows:

- a) Application # 48-11-CU requesting a Conditional Use Permit pursuant to Section 32-176(d)(2) of the Zoning and Land Development Code in order to allow the 84 residential units at the property.

- 185  
186 b) Application # 49-11-Z requesting to assign the Planned Development Overlay  
187 (PDD) District to the property.  
188

189 Mr. Cooper opened the public hearing.  
190

191 Debbie Orshefsky: stated she was representing the applicant and wanted to provide a  
192 better understanding to the residents of what is being proposed. She continued by  
193 presenting a slide show of the proposed project “Beachwalk” and what the site would  
194 look like once built. The slide show contained the following information:  
195

196 *Composite Plans on how the Millennium project would appear west of 26th Ave.*

197 *On-Site Parking area for Coastal Waterways neighbors.*

198 *Description of proposed 4-story landscaping “Chia” garage.*

199 *The walking radius from subject property to Wal-Mart or the beach.*

200 *Description of difference between uses of residential units and condo hotel*  
201 *suites.*

202 *Landscaping Plans.*

203 *Description of entrance and exit from Diana Drive.*

204 *On-Site Circulation Plans.*

205 *Existing and Proposed Permitted Density- Land Use and Zoning.*  
206

207 Ms. Orshefsky: stated the existing pathway to Wal-mart will be improved through  
208 additional lighting and security.  
209

210 Ms. Orshefsky: stated the applicant agreed to provide a shuttle bus which would be  
211 available to residents in the City that will be from the subject property to north beach  
212 and south beach. This will help with parking issues at the beach.  
213

214 Ms. Orshefsky: added the existing proposal is going for 432 hotel keys, which she  
215 believes will likely never reach the limit.  
216

217 Ms. Orshefsky: stated hotel/ condo mixed uses for new development are needed and  
218 the proposed project will benefit future economic development in the City.  
219

220 Ms. Orshesky: further advised they are requesting vacation of right-of-way for a piece of  
221 land that should have been vacated when the bridge was being built. The land is  
222 needed to fit everything together.  
223

224 Jim Williford/President of Coastal Waterways (2600 Diana Drive): stated he was  
225 representing the Coastal Waterways and agreed project should be approved.  
226

227 Mr. Williford: added the parking garage will extend over their part of the vacated right-of-  
228 way to create additional parking spaces for their building. He added the applicant  
229 agreed to install a gate at their property giving them new security.  
230

Bill Julian (1102 N.E. 2 Court.): stated, as a former City Commissioner, he supports the proposed development, which he believes would be a great fit and will enhance the area.

Beatriz D'Hauwei (2500 Diana Dr.) stated she has concerns on amount of traffic this project will bring to Diana Drive.

Ms. D'Hauwei: added how they currently see frequent drivers speeding on Diana Drive and suggested the City consider placing a traffic light on 26<sup>th</sup> Avenue and Hallandale Beach Boulevard. She further added that speed bumps should be added on Diana Drive to reduce speed and prevent any accidents.

Csaba Kulin: (600 N.E. 14th Ave.) stated the Parking Ordinance has been amended and this project does not meet City Code. He added the density of the project is less than 2 acres which means 35 units would be permitted and the applicant is asking for a density for 46 units per acre.

Ms. Orshefsky: responded by clarifying the Planning and Zoning Board is considering two applications today: the (PDD) Planned Development Overlay District and Conditional Use for residential and flex units. She added the applications for Major Development Plan review and the Vacation of right- of-way are applications that need approval by the City Commission.

Ms. Orshefsky: asked for approved of these applications for this parcel to be a mixed use project.

Mr. Cooper: closed the public hearing.

Mr. Cooper: stated the plans given to the Board show all four applications and modification to the Zoning Code.

Mr. Cooper: questioned the applicant's intentions when submitting four applications for approval of a mixed use project on a lot of only 1.29 acres in size.

Mr. Cooper: added the Board is asked to approve two of the four applications presented. The two applications which the Board would be considering would be the Conditional Use Permit, allowing 84 residential units at the property and assignment of the Planned Development Overlay, allowing more than 25 units per acre on the existing 1.29 acres.

Mr. Cooper: followed by asking why the Planning and Zoning Board decision on the other two applications mentioned is not being considered. He added one of the applications is requesting the City to vacate to the applicant, over ½ acre of S.E. 26<sup>TH</sup> Avenue, and if approved more residential units could be approved.

Mr. Cooper: added the second application directed to the City Commission would be for Major Development Plan Approval. He asked for clarification from staff since the Planning and Zoning Board is also the Development Review Board, why is their vote not considered?

Ms. Dominguez: advised that PDD applications do not go before the Planning and Zoning Board but directly to City Commission.

Mr. Cooper: pointed out if it would be permitting a Mixed Use project, allowing the applicant to build what would include a 31 story building, 305 feet tall, 84 residential units, 432 hotel rooms, a 5 story garage and a 1,225 square feet restaurant on 1.8 acres which includes the ½ acre of vacated. S.E. 26<sup>TH</sup> Avenue. In addition, the density proposed is 47 units per acre when the City requires 25 units per acre not to mention they are seeking approval for extra Flex Units.

Mr. Cooper: stated the danger and unsafe conditions the project would provide if the approval to modifications to several zoning standards and requirements were approved. As a Civil Engineer, he is concerned about the intensity of the project if the City Commission approves all four applications. Such as: dead-end parking, elimination of wheel stops, tandem parking spaces, reduction in space size, reduction in number of spaces provided, drive aisle width, unit size and traffic flow.

Mr. Cooper: stated his recommendation to the Board and the City Commission is to deny this project due to size/height of the building not being compatible to the size of the lot and the three story building adjacent to it.

Mr. Cooper: further stated the project would be detrimental to the resident's quality of life in this area. He suggested the City purchase the site and built a waterfront park.

Mr. Fendell: agreed with the Chairman that the building needed to be reduced in size, there were too many flex units being requested.

Mr. Fendell: stated he would like to take a look at the traffic studies, the flex units, and agreed the density as has been summarized by Mr. Cooper, are also objections of his own.

Ms. Steinberg: stated she did not like how the project would be combining residential units with hotel units.

Ms. Dominguez: clarified that all Major Development projects with a PDD Overlay are designed with more flexibility, therefore are not brought in front of the Planning and Zoning Board.

Mr. Cooper: stated he thought it was wrong to bypass the Planning and Zoning Board. He added the Board should be well aware of what they are voting for.

MOTION: MR. COOPER RECOMMENDED TO DENY APPLICATIONS #48-11-CU AND #49-11-Z BY PRH-2600 HALLANDALE BEACH, LLC FOR A CONDITIONAL USE PERMIT AND ASSIGNMENT OF THE PLANNED DEVELOPMENT OVERLAY (PDD) DISTRICT IN ORDER TO BUILD BEACHWALK, A MIXED USE, 31-STORY 305 FEET IN HEIGHT BUILDING, WITH 84 RESIDENTIAL UNITS, 216 SUITES WITH 432 HOTEL KEYS, A 1,225 SQUARE FEET RESTAURANT AND ASSOCIATED PARKING GARAGE ON THE PROPERTY LOCATED AT 2600 E. HALLANDALE BEACH BOULEVARD.

MS. STEINBERG SECONDED THE MOTION.

MOTION CARRIED BY ROLL CALL VOTE (4-0) FOR APPROVAL.

**SCHEDULING NEXT MEETING**

February 22, 2012

**DIRECTOR'S REPORT**

Mr. Cooper: asked about the Golden Isles Overlay.

Ms. Dominguez: stated the residents were informed that the City will not move forward with the Overlay due to the amount of residents against it.

Meeting adjourned at 3:15 P.M.

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Christy Dominguez  
Planning and Zoning Board Liaison